

114TH CONGRESS }
1st Session }

SENATE

{ REPORT
114-31

REVIEW OF LEGISLATIVE ACTIVITY
DURING THE 113TH CONGRESS

R E P O R T

OF THE

COMMITTEE ON THE BUDGET

UNITED STATES SENATE

DURING THE

113TH CONGRESS

(2013-2014)

PURSUANT TO PARAGRAPH 8(b) OF RULE XXVI OF THE STANDING RULES
OF THE SENATE



APRIL 14, 2015.—Ordered to be printed

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FOREWORD

This report reviewing the legislative activity during the 113th Congress of the Committee on the Budget is submitted pursuant to paragraph 8(b) of Rule XXVI of the Standing Rules of the Senate. Paragraph 8 provides that standing committees of the Senate shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts thereof, the subject matter of which is within their jurisdiction, and submit to the Senate, not later than March 31 of each odd-numbered year, a report detailing the activities of that committee for the preceding Congress. The text of paragraph 8(b) of rule XXVI is as follows:

8.(b) In each odd-numbered year, each such committee shall submit, not later than March 31, to the Senate, a report on the activities of that committee under this paragraph during the Congress ending at noon on January 3 of such year.

MIKE ENZI, *Chairman*.

CONTENTS

	Page
Committee Membership	II
Foreword	III
Jurisdiction	1
Rules of Procedure for the 113th Congress	2
Legislative Activity	5
Resolutions Considered by the Senate	5
Original Resolutions from Committee	5
Resolutions Related to Committee Funding	5
Resolutions Referred to Committee	5
Committee Hearings and Business Meetings	7
Nominations	8
Committee Publications	9
Executive Communications	9

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Mr. ENZI, from the Committee on the Budget,
submitted the following

R E P O R T

[Pursuant to paragraph 8(b) of rule XXVI of the Standing Rules of the Senate]

JURISDICTION OF THE COMMITTEE ON THE BUDGET

The jurisdiction of the Committee on the Budget is set forth in paragraph 1(e)(1) of rule XXV of the Standing Rules of the Senate. The following are excerpts from that paragraph.

RULE XXV

STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * * * *

(e)(1) Committee on the Budget, to which committee shall be referred all concurrent resolutions on the budget (as defined in section 3(a)(4) of the Congressional Budget Act of 1974) and all other matters required to be referred to that committee under titles III and IV of that Act, and messages, petitions, memorials, and other matters relating thereto.

(2) Such committee shall have the duty

(A) To report the matters required to be reported by it under titles III and IV of the Congressional Budget Act of 1974;

(B) To make continuing studies of the effect on budget outlays of relevant existing and proposed legislation and to report the results of such studies to the Senate on a recurring basis;

(C) To request and evaluate continuing studies of tax expenditures, to devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and to report the results of such studies to the Senate on a recurring basis; and

(D) To review, on a continuing basis, the conduct by the Congressional Budget Office of its functions and duties.

* * * * *

RULES OF PROCEDURE

159 CONG. REC. S861 (DAILY ED. FEB. 26, 2013)

I. MEETINGS

(1) The committee shall hold its regular meeting on the first Thursday of each month. Additional meetings may be called by the chair as the chair deems necessary to expedite committee business.

(2) Each meeting of the committee, including meetings to conduct hearings, shall be open to the public, except that a portion or portions of any such meeting may be closed to the public if the committee determines by record vote in open session of a majority of the members of the committee present that the matters to be discussed or the testimony to be taken at such portion or portions—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement; or

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(i) an act of Congress requires the information to be kept confidential by Government officers and employees; or

(ii) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person.

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(3) Notice of, and the agenda for, any business meeting or markup shall be provided to each member and made available to the public at least 48 hours prior to such meeting or markup.

II. QUORUMS AND VOTING

(1) Except as provided in paragraphs (2) and (3) of this section, a quorum for the transaction of committee business shall consist of not less than one-third of the membership of the entire committee: Provided, that proxies shall not be counted in making a quorum.

(2) A majority of the committee shall constitute a quorum for reporting budget resolutions, legislative measures or recommendations: Provided, that proxies shall not be counted in making a quorum.

(3) For the purpose of taking sworn or unsworn testimony, a quorum of the committee shall consist of one Senator.

(4)(a) The committee may poll—

(i) internal committee matters including those concerning the committee's staff, records, and budget;

(ii) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and

(iii) other committee business that the committee has designated for polling at a meeting, except that the committee may not vote by poll on reporting to the Senate any measure, matter, or recommendation, and may not vote by poll on closing a meeting or hearing to the public.

(b) To conduct a poll, the chair shall circulate polling sheets to each member specifying the matter being polled and the time limit for completion of the poll. If any member requests, the matter shall be held for a meeting rather than being polled. The chief clerk shall keep a record of polls; if the committee determines by record vote in open session of a majority of the members of the committee present that the polled matter is one of those enumerated in rule I(2)(a)–(e), then the record of the poll shall be confidential. Any member may move at the committee meeting following a poll for a vote on the polled decision.

III. PROXIES

When a record vote is taken in the committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may vote by proxy if the absent member has been informed of the matter on which the vote is being recorded and has affirmatively requested to be so recorded; except that no member may vote by proxy during the deliberations on Budget Resolutions.

IV. HEARINGS AND HEARING PROCEDURES

(1) The committee shall make public announcement of the date, place, time, and subject matter of any hearing to be conducted on any measure or matter at least 1 week in advance of such hearing, unless the chair and ranking member determine that there is good cause to begin such hearing at an earlier date.

(2) In the event that the membership of the Senate is equally divided between the two parties, the ranking member is authorized to call witnesses to testify at any hearing in an amount equal to the number called by the chair. The previous sentence shall not apply in the case of a hearing at which the committee intends to call an official of the Federal government as the sole witness.

(3) A witness appearing before the committee shall file a written statement of proposed testimony at least 1 calendar day prior to appearance, unless the requirement is waived by the chair and the ranking member, following their determination that there is good cause for the failure of compliance.

V. COMMITTEE REPORTS

(1) When the committee has ordered a measure or recommendation reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time.

(2) A member of the committee, who gives notice of an intention to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusions shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

VI. USE OF DISPLAY MATERIALS IN COMMITTEE

Graphic displays used during any meetings or hearings of the committee are limited to the following: Charts, photographs, or renderings: Size: no larger than 36 inches by 48 inches. Where: on an easel stand next to the member's seat or at the rear of the committee room. When: only at the time the member is speaking. Number: no more than two may be displayed at a time.

VII. CONFIRMATION STANDARDS AND PROCEDURES

(1) Standards. In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The committee shall recommend confirmation if it finds that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

(2) Information Concerning the Nominee. Each nominee shall submit the following information to the committee:

(a) A detailed biographical resume which contains information concerning education, employment, and background which generally relates to the position to which the individual is nominated, and which is to be made public;

(b) Information concerning financial and other background of the nominee which is to be made public; provided, that financial information that does not relate to the nominee's qualifications to hold the position to which the individual is nominated, tax returns or reports prepared by federal agencies that may be submitted by the nominee shall, after review by the chair, ranking member, or any other member of the committee upon request, be maintained to ensure confidentiality; and,

(c) Copies of other relevant documents and responses to questions as the committee may so request, such as responses

to questions concerning the policies and programs the nominee intends to pursue upon taking office.

(3) Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee may be prepared by the committee staff for the chair, the ranking member and, upon request, for any other member of the committee. The report shall summarize the steps taken and the results of the committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

(4) Hearings. The committee shall conduct a hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she would pursue while in that position. No hearing or meeting to consider the confirmation shall be held until at least 72 hours after the following events have occurred: the nominee has responded to the requirements set forth in subsection (2), and, if a report described in subsection (3) has been prepared, it has been presented to the chairman and ranking member, and is available to other members of the committee, upon request.

LEGISLATIVE ACTIVITY

**passed Senate; +obviated*

Resolutions Considered by the Senate

“Bipartisan Budget Act of 2013”—as passed in H.J. Res. 59—The measure is the vehicle for the budget agreement negotiated by the chairs of the House and Senate Budget Committees and includes the Bipartisan Budget Act of 2013 (as laid out in S. C and the Pathway for SGR Reform Act of 2013.*

Original Resolutions from the Committee

S. Con. Res. 8—An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.*

Resolutions Related to Committee Funding

S. Res. 53, an original resolution authorizing expenditures by the Committee on the Budget. +

S. Res. 250, an original resolution authorizing expenditures by the Committee on the Budget. +

Resolutions Referred to Committee

S. 43—Dollar-for-Dollar Deficit Reduction Act

S. 110—Social Security Lock-Box Act of 2013

S. 185—Baseline Reform Act of 2013

S. 184—Pro-Growth Budgeting Act of 2013

H.R. 444—Require a PLAN Act

S. 263—Down Payment to Protect National Security Act of 2013

S. 280—Budget Reform Act of 2013

H.R. 668—To amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President

to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes

S. 377—Never Forget 9/11 Heroes Act

S. 379—Decrease Spending Now Act

S. Res. 53—An original resolution authorizing expenditures by the Committee on the Budget.

S. 436—Sequester for Congressional Pay and Accountability Act

S. 465—A bill to permit flexibility in the application of the budget sequester by Federal agencies.

S. 554—Biennial Budgeting and Appropriations Act

S. 547—One Percent Spending Reduction Act of 2013

S. 581—A bill to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit . . .

S. Con. Res. 8—An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023. *

S. 625—Biennial Appropriations Act

S. Con. Res. 14—A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014 and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023

H.R. 1871—Baseline Reform Act of 2014

H.R. 1872—Budget and Accounting Transparency Act of 2014

H.R. 1874—Pro-Growth Budgeting Act of 2014

S. 1017—A bill to permit flexibility in the application of the budget sequester by Federal agencies.

S. 1314—A bill to amend title 31, United States Code, to provide that the President's annual budget submission to Congress list the current fiscal year spending level for each proposed program and a separate amount for any proposed spending increases, and for other purposes.

S. 1321—A bill to amend title 31, United States Code, to provide that the President's annual budget submission to Congress list the current fiscal year spending level for each proposed program and a separate amount for any proposed spending increases, and for other purposes.

S. 1351—Intergenerational Financial Obligations Reform Act

S. 1413—FDA User Fee Protection Act

S. 1438—A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide that military technicians (dual status) shall be included in military personnel accounts for purposes of any order issued under that act

S. 1436—One Percent Spending Reduction Act of 2013

S. 1422—A bill to amend the Congressional Budget Act of 1974 respecting the scoring of preventive health savings.

S. 1472—Strengthening Congressional Oversight of Regulatory actions for Efficiency

S. Res. 250—An original resolution authorizing expenditures by the Committee on the Budget.

S. 1676—Return Our State Shares Act

S. 1780—A bill to clarify that funding for the standard setting body designated pursuant to section 19(b) of the Securities Act of 1933, the Securities Investor Protection Corporation, and the Public Company Accounting Oversight Board is not subject to the sequester.

S. 1835—Jobs Score Act of 2013

S. 1841—A bill to mitigate the reduction in the readiness of our Armed Forces by reducing the defense sequestration cuts for fiscal years 2014 and 2015 but implementing the cuts, in their entirety, over the duration of sequestration

S. 1875—Wildfire Disaster Funding Act of 2013

S. 2087—Medicare Protection Act

H. Con. Res. 96—establishing the budget for the United States Government for fiscal year 2015 and setting forth appropriate budgetary levels for fiscal years 2016 through 2024.

S. 2371—Accurate Budgeting Act

S. 2420—Budget and Accounting Transparency Act of 2014

S. 2446—Truth in Obamacare Accounting Act

S. 2495—One Percent Spending Reduction Act of 2014

S. 2658—Accelerating Biomedical Research Act

S. 2905—Carbon Pollution Transparency Act of 2014

S. Res. 562—a resolution expressing the sense of the Senate that performance-based contracts for energy savings are a budget-neutral means to support the Federal Government in reducing its energy consumption without increasing spending while simultaneously supporting United States based jobs and economic development.

COMMITTEE HEARINGS AND BUSINESS MEETINGS (FROM MOST RECENT)

July 29, 2014—Hearing on The Costs of Inaction: The Economic and Budgetary Consequences of Climate Change

June 4, 2014—Hearing on The Impact of Student Loan Debt on Borrowers and the Economy

May 13, 2014—Hearing on Expanding Economic Opportunity for Women and Families

May 8, 2014—Hearing on The U.S. Economic and Fiscal Outlook

May 6, 2014—Hearing on The President's Fiscal Year 2015 Education Budget Request

May 1, 2014—Government Performance Task Force Hearing: Investing in What Works: Exploring Social Impact Bonds

April 8, 2014—Hearing on Supporting Broad-Based Economic Growth and Fiscal Responsibility through a Fairer Tax Code

April 1, 2014—Hearing on Opportunity, Mobility, and Inequality in Today's Economy

March 12, 2014—Hearing on The President's Fiscal Year 2015 Budget and Revenue Proposals

March 5, 2014—Hearing on The President's Fiscal Year 2015 Budget Proposal

February 25, 2014—Hearing on the Economic and Budget Outlook for Individuals, Families, and Communities

February 11, 2014—Hearing on the Budget and Economic Outlook for Fiscal Years 2014–2024

February 4, 2014—Hearing on the 2014 Outlook: Moving from Constant Crises to Broad-Based Growth

November 13, 2013—Budget Conference Committee Meeting with CBO Director Doug Elmendorf
 October 30, 2013—Budget Conference Committee Meeting
 September 24, 2013—Hearing on The Impact of Political Uncertainty on Jobs and the Economy
 September 18, 2014—Hearing on Enhancing Accountability and Increasing Financial Transparency
 July 30, 2013—Hearing on Containing Health Care Costs: Recent Progress and Remaining Challenges
 July 23, 2013—Hearing on The Impact of Sequestration on National Security and the Economy
 June 26, 2013—Hearing on Investing in our Future: The Impact of Federal Budget Decisions on Children
 June 18, 2013—Hearing on The President’s Fiscal Year 2014 Education Budget Request
 June 12, 2013—Hearing on The President’s Fiscal Year 2014 Defense Budget Request
 June 4, 2013—Hearing on The Fiscal and Economic Effects of Austerity
 May 22, 2013—Hearing on Economic Growth and Fiscal Responsibility through Tax Reform
 May 16, 2013—Hearing on Silo Busting: Effective Strategies for Government Reorganization
 April 23, 2013—Hearing on The President’s Fiscal Year 2014 Budget Proposal and Veterans’ Program Proposals
 April 16, 2013—Hearing on The President’s Fiscal Year 2014 Budget and Revenue Proposals
 April 11, 2013—Hearing on the President’s Fiscal Year 2014 Budget Proposal
 March 13–14, 2013—Mark-Up of the Concurrent Resolution on the Budget for FY 2014
 March 5, 2013—Hearing on Reducing the Deficit by Eliminating Wasteful Spending in the Tax Code
 February 26, 2013—Hearing on The Impact of Federal Investments on People, Communities, and Long-Term Economic Growth
 February 13, 2013—Hearing on The Impact of Federal Budget Decisions on Families and Communities
 February 12, 2013—Hearing on The Budget and Economic Outlook: Fiscal Years 2013–2023

NOMINATIONS (FROM MOST RECENT)

June 24, 2014—Executive Business Meeting on The Nomination of Shaun L.S. Donovan to be Director of the Office of Management and Budget
 June 11, 2014—Consideration of The Nomination of Shaun L.S. Donovan to be Director of the Office of Management and Budget
 June 6, 2014—Executive Business Meeting on The Nomination of Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget
 May 21, 2013—The Nomination of Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget
 April 17, 2013—The Nomination of The Honorable Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget

April 10, 2013—The Nomination of The Honorable Sylvia Matthews Burwell, of West Virginia, to be Director of the Office of Management and Budget

COMMITTEE PUBLICATIONS

Hearings Before the Committee on the Budget, United States Senate, 113th Congress, First Session, S. HRG. 113-229

Hearings Before the Committee on the Budget, United States Senate, 113th Congress, Second Session, S. HRG. 113-518

Mid-Session Hearings for Fiscal Year 2015, S. Hrg. 113-519

Tax Expenditures December 2014, Committee Print, S. Prt. 113-32

H.J. Res 59 Bipartisan Budget Act of 2013

EXECUTIVE COMMUNICATIONS

PN1737—Nomination of Shaun L.S. Donovan to be the Director of the Office of Management and Budget (7/10/2014)

PN262—Nomination of Brian C. Deese to be Deputy Director of the Office of Management and Budget (6/27/2013)

PN188—Nomination of Sylvia Matthews Burwell to be Director of the Office of Management and Budget (4/24/2013)